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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Philip Jordan Thomas *et al.*

Serial No.: 10/748,720

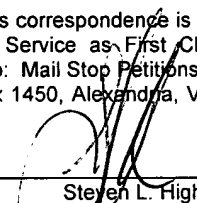
Filed: December 30, 2003

For: PROTEIN/SOLUBILITY FOLDING
ASSESSED BY STRUCTURAL
COMPLEMENTATION

Group Art Unit: 1636

Examiner: P. Riggins

Atty. Dkt. No.: UTSD:703USD1/SLH

CERTIFICATE OF MAILING 37 C.F.R. § 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P. O. Box 1450, Alexandria, VA, 22313-1450, on the date below:	
August 9, 2006 Date	 Steven L. Highlander

**REQUEST FOR RECONSIDERATION OF HOLDING OF ABANDONMENT
PURSUANT TO MPEP § 711.03; AND CONTINGENT PETITION UNDER
37 CFR § 1.181 TO WITHDRAW HOLDING OF ABANDONMENT OR
PETITION UNDER 37 CFR § 1.137(b) TO REVIVE UNINTENTIONALLY
ABANDONED APPLICATION**

Mail Stop Petitions

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicants are in receipt of a Notice of Abandonment in the referenced application mailed by the Patent and Trademark Office on May 22, 2006, which states that the application is abandoned for failure to reply to the Office Action mailed on September 23, 2005.

Applicants contend that the application is not in fact abandoned, because an appropriate and timely response to the Office Action mailed September 23, 2005, was filed on December 21, 2005. Therefore, Applicants file this Request for Reconsideration of Holding of Abandonment Pursuant to MPEP § 711.03. If the Office for any reason deems that the Request pursuant to MPEP § 711.03 cannot be granted, this paper is to be treated as a petition to the Commissioner under 37 CFR § 1.181 to withdraw the holding of abandonment and/or a petition under 37 CFR § 1.137(b) to revive unintentionally abandoned application, as the Commissioner deems appropriate.

Applicants respectfully request withdrawal of the holding of abandonment and provide the following facts in support thereof.

REMARKS

A. Applicants' Response Timely Filed

Applicants' file indicates that the Amendment and Request for Reconsideration Under 37 C.F.R. § 1.116 and Notice of Appeal From the Examiner to the Board of Patent Appeals and Interferences in this case was mailed on December 21, 2005, and timely responded to by Applicants on December 21, 2005. A copy of Applicants' Amendment and Request for Reconsideration Under 37 C.F.R. § 1.116 and Notice of Appeal From the Examiner to the Board of Patent Appeals, transmittal letter and itemized postcard mailed on December 21, 2005, are attached hereto as Appendix A.

Further, Applicants' representative received a return postcard date-stamped by the Office, indicating that Applicants' response to the Office Action mailed on December 21, 2005, was received by the Office on December 27, 2005. A copy of the return postcard showing the Office's date stamp is attached hereto as Appendix B.

In view of the above, Applicants respectfully submit that an appropriate response to the Office Action was filed in a timely manner and request that the Notice of Abandonment be withdrawn and that the application proceed to substantive examination as soon as possible.

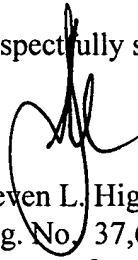
B. Contingent Petition Under 37 CFR 1.181 or, in the Alternative, 37 CFR 1.137(b)

This paper is a request for reconsideration of the holding of abandonment pursuant to MPEP § 711.03. If the Office deems that such withdrawal of the holding of abandonment is not proper, Applicants request that alternatively, and to the extent required, this paper be treated as a petition to the Commissioner under 37 CFR § 1.181 to withdraw the holding of abandonment and/or a petition under 37 CFR § 1.137(b) to revive unintentionally abandoned application, as the Commissioner deems appropriate.

Because Applicants timely filed a response to the Office Action dated September 23, 2005, it is believed that no fees under 37 C.F.R. §§ 1.16 to 1.21 are occasioned by the filing of this paper; however, should the Commissioner determine otherwise, the Commissioner is hereby authorized to deduct said fees, including any petition fees, from Fulbright & Jaworski Deposit Account No. 50-1212/UTSD:703USD1/SLH.

Please date stamp and return the enclosed postcard evidencing receipt of this paper.

Respectfully submitted,



Steven L. Highlander
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Attorney for Applicant

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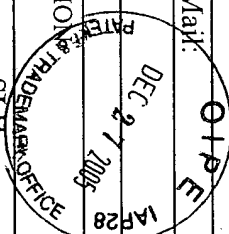
Date: August 9, 2006

Please indicate receipt of the below-identified paper:

<input type="checkbox"/> New Application For:	Priority Date:
<input type="checkbox"/> Foreign priority already claimed	
<input type="checkbox"/> Continuation	<input type="checkbox"/> CIP
<input type="checkbox"/> Specification:	Pages
<input checked="" type="checkbox"/> Response to Office Action Dated:	09/23/05
<input checked="" type="checkbox"/> Other: TRANSMITTAL FORM; AMDMENTMENT AND REQ. FOR RECON. UNDER 37 C.F.R. § 1.116; NOTICE OF APPEAL AND POSTCARD.	
<input type="checkbox"/> Assignment Enclosed	<input checked="" type="checkbox"/> Cert. of Timely Mailing
	<input type="checkbox"/> Exp. Majk:

IDENTIFICATION OF APPLICATION

Serial No.:	10/748,720
Title:	PROTEIN/SOLUBILITY FOLDING ASSESSED BY STRUCTURAL COMPLEMENTATION
Applicant:	PHILIP JORDAN THOMAS, ET AL.
Client:	UT SOUTHWESTERN MEDICAL CENTER AT DALLAS
Mailed:	Filed: 12/21/05



Please indicate receipt of the below-identified paper:

<input type="checkbox"/> New Application For:		Priority Date:	
<input type="checkbox"/> Foreign priority already claimed			
<input type="checkbox"/> Continuation	<input type="checkbox"/> CIP	<input type="checkbox"/> Divisional	CPA <input type="checkbox"/>
<input type="checkbox"/> Specification:	Pages	<input type="checkbox"/> Drawings:	Sheets
<input checked="" type="checkbox"/> Response to Office Action Dated: 09/23/05		<input type="checkbox"/> Final Rejection	
<input checked="" type="checkbox"/> Other: TRANSMITTAL FORM; AMDMENTMENT AND REQ. FOR RECON. UNDER 37 C.F.R. § 1.116; NOTICE OF APPEAL AND POSTCARD.			
<input type="checkbox"/> Assignment Enclosed	<input checked="" type="checkbox"/> Cert. of Timely Mailing	<input type="checkbox"/> Exp. Mail:	

IDENTIFICATION OF APPLICATION

Serial No.:	10/748,720		
Title:	PROTEIN/SOLUBILITY FOLDING ASSESSED BY STRUCTURAL COMPLEMENTATION		
Applicant:	PHILIP JORDAN THOMAS, ET AL.	Attorney:	SLH
Client:	UT SOUTHWESTERN MEDICAL CENTER AT DALLAS	F&J File No.:	UTSD:703USD1
Mailed:	Filed: 12/21/05	Due Date:	